

## **REMARKS**

As a first preliminary matter, Applicants thank the Examiner for the acknowledgement of allowable subject matter in claims 2, 6, 13, and 17.

As a second preliminary matter, Applicants have attempted to address the Examiner's outstanding rejections to the best of their ability. However, Applicants wish to note for the record that the Examiner has not identified by publication number, or country, any of the prior art references he cites.

As a third preliminary matter, the Examiner objects to claims 12-22 as failing to comply with 37 C.F.R. 1.75(d)(1). The Examiner, however, does not state why he believes these claims fail to comply with the rules. The Examiner appears to be objecting to the grammatical amendments to the claims that relabeled the "changing section" into a "setting section" for clarification purposes. The "first" and "second" modifiers merely distinguish between the setting section originally recited, and the new setting (previously "changing") section. The present Specification fully supports relabeling the changing section as a setting section. Fig. 4 of the present Application, for example, clearly illustrates a first power setting in steps S11, S13, S15, and S17, and a second slice level setting in step S19. Accordingly, first and second setting sections are fully supported by the Specification, and reconsideration and withdrawal of the outstanding objection are respectfully requested.

Claims 1, 5, 9-10, 12, 16, and 20-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over "Tani" further considered with either "Tsukahara et al." or

“Mochizuki et al.” Although, as discussed above, it is not clear exactly what exact references the Examiner means to be citing in this rejection, the rejection is nevertheless rendered moot by the amendments to the claims herein. Claims 2, 6, 13, and 17 have been canceled without prejudice, and the allowable subject matter of these claims has been incorporated into independent claims 1, 5, 12, and 16 respectively, thereby placing all of these claims (and their respective dependent claims) in immediate condition for allowance.

With respect to independent claims 9 and 20, these claims have also been amended herein to feature subject matter similar to that found allowable by the Examiner in claims 2, 6, 13, and 17. Accordingly, Applicants submit that claims 9 (and its dependent claim 10) and 20 (and its dependent claim 21) should be in condition for allowance for at least the same reasons that render the other independent claims allowable.

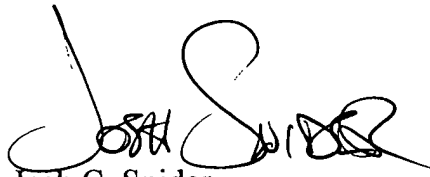
All of the Examiner’s remaining rejections of claims 3-4, 7-8, 11, 14-15, 18-19, and 22 (section nos. 2-4 of the outstanding Office Action) are based upon the Section 103 rejection of the independent claims discussed above, with only an additional citation to one or more of the additional secondary references “Furuta,” “Ohara,” “Richards,” and “Sakurai.” Accordingly, Applicants traverse the rejection of all of claims 3-4, 7-8, 11, 14-15, 18-19, and 22 for at least the reasons discussed above. All of these claims depend from one of the independent claims discussed above, and should therefore be in condition for allowance for at least the same reasons as the respective base claim.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1, 3-5, 7-12, 14-16, and 18-22, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", with a stylized flourish at the end.

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February 2, 2006

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